

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-2166

Gary Fountain,

Appellant,

v.

Stone Container, Inc.; United
Paperworkers International Union,

Appellees.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: February 13, 1998
Filed: March 2, 1998

Before FAGG, BEAM, and HANSEN, Circuit Judges.

PER CURIAM.

Gary Fountain appeals the district court's¹ adverse grant of summary judgment on his claims that his union breached its duty of fair representation and his employer breached a collective bargaining agreement. After a careful review of the record and the parties' submissions on appeal, we affirm for the reasons stated by the district court. See 8th Cir. R. 47B. We also grant appellees' joint motion to strike portions of the joint appendix.

¹The Honorable Elsjane Trimble Roy, United States District Judge for the Eastern District of Arkansas.

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.